

buildings and employees at the National Institutes of Health. I believe a number of questions must be answered before we proceed further with the plan to locate the laboratory on the NIH campus.

I have written to the Director of the National Institutes of Health and asked him to address the following issues:

(1) The property of locating this laboratory in an urban setting like Bethesda, as opposed to at Fort Detrick, where a bio-safety level 3 laboratory is already under construction;

(2) if located on the Bethesda campus, whether it can be located centrally on the campus, either in a new building or by renovating an existing building and relocating the offices and laboratories of that building to a building in the location chosen for Building 33; and

(3) the precautions that will be taken to ensure that, in the event of a terrorist attack or human error, that any potential risk to our community presented by the presence of this laboratory on the Bethesda campus is minimized or eliminated.

Mr. Speaker, I know that all of my colleagues in this House are united in our common effort to combat terrorism. But we owe it to our constituents to approach this endeavor carefully. I urge my colleagues and the Administration to consider all options so that we do right by all Americans.

Mr. COX. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, July 15, 2003, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1545

PROVIDING FOR CONSIDERATION OF H.R. 2691, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 319 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 319

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2691) making appropriations for the Department of the Interior and related agencies for the fiscal year

ending September 30, 2004, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: page 84, line 21, through page 89; page 90, line 4 through line 9. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. GILCHREST). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 319 is an open rule providing for the consideration of H.R. 2691, the Department of Interior and Related Agencies Appropriations Act of 2004. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration; and under the rules of House, the bill shall be read for amendment by paragraph.

The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in an appropriations bill, except as specified in the resolution.

The rule further waives points of order against amendments for failure to comply with clause 2(e) of rule XXI, prohibiting designated emergencies in reported appropriations bills.

Finally, the rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 2691 provides funding for the Department of Interior as well as various agencies and programs and Departments of Agriculture, Energy, Health and Human Services. H.R. 2691 appropriates \$19.6 billion in new budget authority, which is \$186 million less than last year's enacted level and \$110 million more than the President's request. Almost half of the bill's funding finances the Interior Department's programs to manage and study the Nation's animal, plant and mineral resources and support programs benefiting Native Americans.

Among the bill's many provisions are several of special interest to residents of central Washington and my district, including \$2.5 billion for Wildland Fire Fighting and the National Fire Plan. This funding will increase firefighting readiness, hazardous fuels reduction, and forest health restoration activities.

As a Member whose district includes significant Federal land holdings, I am particularly pleased that payment in lieu of taxes, or PILT, is funded at \$225 million, which is \$5 million above the current enacted level and \$25 million above the administration's request.

In the area of fisheries management, the committee is to be commended for providing \$113 million for fisheries, an increase of nearly \$10 million over the administration's request, which includes an increase of \$3 million for the Washington State Hatchery Improvement Project.

It should also be noted that the bill includes \$4.6 million for the Partners of Fish and Wildlife Program, of which \$1.4 million goes to the Washington Regional Fisheries Enhancement programs.

Finally, Mr. Speaker, I commend the gentleman from North Carolina (Mr. TAYLOR) for his efforts to focus attention to the critically important task of maintaining our national parks.

The bill includes \$682 million to attack the enormous backlog of badly needed maintenance at our national park facilities.

Mr. Speaker, this bill is a bill which carefully balances a number of important objectives, including natural resources protections and providing access for the public to our Nation's many significant parks and refuges. It makes real progress in management of forests, fisheries. And rangeland; and it does so in a cost-effective way in these challenging budgetary times.

Accordingly, Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Washington for yielding me the customary 30 minutes.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, former President Theodore Roosevelt,

one of the fathers of American conservation, said, "In utilizing and conserving the national resources of the Nation, the one characteristic more central than any other is foresight."

Unfortunately, in many areas H.R. 2691 is a myopic bill, lacking this essential foresight. H.R. 2691 does not protect our natural resources, America's lands and its native animals. This appropriations bill breaks promises of funds for conservation, and the bill abandons the conservation trust agreement reached and enacted into law in response to the 315 Members of the House who voted for the Conservation and Reinvestment Act.

The agreement provided for adequate funding for conservation programs that protect public lands and cultural artifacts and preserve endangered and threatened species and that assist States in their own conservation and recreation programs.

Unfortunately, this bill breaks that promise by underfunding the conservation efforts by approximately \$569 million less than funding levels promised in the conservation trust agreement. Funding levels for conservation are an even \$208 million less than the appropriations for fiscal year 2003. This seriously jeopardizes conservation programs like the Federal Land Acquisition, which is funded at its lowest level in 20 years. City parks are the anchors of our neighborhoods. They provide a variety of activities for youth, and the city of Rochester wrote to me requesting that Congress fund the Urban Parks Program at \$50 million. The program provides supplemental funding needed by city parks and recreation departments to strengthen the recreation opportunities. But, unfortunately, the Urban Parks Program gets no funding, despite the request by 104 Members that it be restored.

We have heard a lot about the terrible plight of our national parks. This bill will do nothing to ease that. H.R. 2691 does not protect our seniors and low-income families with children. The Department of Energy's Weatherization Assistance Program reduces the energy costs for low-income families, seniors, and people with disabilities. These savings are gone and they are critical because low-income households spend 14 percent of their total income on energy compared with 33.5 percent for other households.

Since the creation of the weatherization program, 395,000 homes in the State of New York have been weatherized, but 1.5 million more are eligible and waiting for assistance. I have spent more than a few winters in New York, and I know the importance of weatherizing your house against the icy gales of winter. With the weatherization program funded at \$63 million below the level requested by the President, millions of Americans will literally be left in the cold.

H.R. 2691 does not protect our American culture and history. Back in 1992, funding for the National Endowment

for the Humanities and for the National Endowment for the Arts reached its funding zenith, \$176 million for each agency.

Over the years the NEA and NEH budgets have been slashed again and again, and for several years the body has voted to increase the funding for the arts and humanities; but, unfortunately, the strong statement of the will of the body has been ignored. Even the President requested \$152 million for the National Endowment for the Humanities, but the allocation in this bill is \$15 million dollars less than the President's request.

The funding for NEA is only minimally increased and this insubstantial sum will pay for administrative overhead costs; no new grants will be created. The National Endowment for the Arts enriches our Nation and establishes cultural heritage by supporting the works of artistic excellence, advancing learning in the arts, and, importantly, strengthening the arts in communities throughout the country. They benefit our children and over and over the education given in art has proven to increase academic performance, regardless of socio-economic background.

The NEA provides grants for local arts activities in every State and every congressional district. In Buffalo, New York, the NEA provided a small \$10,000 grant to a community arts group to support a program to offer weekend classes in visual arts and jazz music for African American children in Buffalo's low-income inner-city east side. Another small community grant to a group in Buffalo provided weekly workshops in media literacy and digital arts for girls ages 9 to 15.

In my colleague's home State of Washington, an 8-week summer residency program that provided psychiatrically and emotionally impaired children with instruction in creative writing, mask-making, and theatrical improvisation received a community arts grant from the NEA.

Investing in the arts is also smart business. The nonprofit arts industry alone generates \$134 billion annually in economic activity and \$24.4 billion in Federal, State, and local tax revenues. Every dollar the NEA invests in local theater groups, orchestras, or exhibitions generates \$7 for the arts organization by attracting other grants, private donations, and ticket sales which in turn help support communities.

The National Endowment for the Humanities is at the forefront of preserving the American culture and our history. This database of knowledge is the lifeblood essential for a living, thriving democracy.

Bruce Cole, the chairman of the National Endowment for the Humanities, warns us that "we face a serious challenge to our country that lies within our borders, and within our schools, and that is the threat of American amnesia. We are in danger of having our view of the future obscured by our ig-

norance of the past. We cannot see clearly ahead if we are blind to history. And a Nation that does not know why it exists or what it stands for cannot be expected to long endure."

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, in 1964 when this country decided to allow oil drilling in the offshore oil lands, the decision was made to dedicate about \$900 million a year from those receipts to what was called the Land and Water Conservation Fund. And the problem is that through the years Congress then decided not to keep that commitment. And so by about 3 years ago, we had had about a \$13 billion surplus built up in that fund. So about 3 years ago, 315 Members of this House, over my objection, 315 Members of this House voted for what was known as CARA. It was a proposal to take programs for Federal lands acquisition, for State wildlife grants, forests legacy historic preservation, urban parks, you name it, and turn those programs into entitlements which means that regardless of the budget conditions, they would have been funded at a specific level.

□ 1600

I opposed that. I thought we ought to be able to make conservation programs a priority without making them an entitlement. In the end, I won the argument; and we had an agreement that was entered into by the gentleman from Ohio (Mr. REGULA), who then chaired the Subcommittee on Interior and Related Agencies; by the gentleman from Washington (Mr. DICKS), who is the ranking Democrat on the Subcommittee on Interior and Related Agencies; myself and several others which said, okay, we are not going to make it an entitlement, but over the next 6 years we are going to first double the amount of money that we were providing for these activities and then provide regularly scheduled increases until that program could go up from \$1.6 billion to \$2.4 billion.

For the first 2 years Congress kept the agreement. In the omnibus appropriation bill last year, however, the Committee on Appropriations broke its word; and it walked away from that agreement; and this bill is now \$570 million below where it would be if the committee had kept its word.

At the time that we established that agreement 3 years ago, I told the House, I promised the House that if the day ever came that the Committee on Appropriations welched on the deal that I would then, as a point of honor, change my position and support making these programs entitlements because the Committee on Appropriations would have demonstrated that you could not trust it because they would not keep their word; and I am sorry to say that that is where I am at today.

So what I am going to ask the House to do today is to turn down this rule, to vote against the previous question

on the rule, so that I may be allowed to offer an amendment which will see to it that Congress keeps its promise and would provide \$570 million in additional funds into those programs.

We would pay for it by reducing the size of the tax cuts for people who have incomes of over \$1 million a year. We would reduce the size of those tax cuts from the \$88,000 those folks are supposed to get to \$85,000. So for a \$3,000 reduction in the size of the tax cut that people who are earning more than \$1 million a year would get, we could have Congress keep its promise on this critical national program.

This is more than just a theoretical debate about programs. This deals with real problems. It deals with the fact, for instance, that there are nine acres in Valley Forge that will be developed and lost forever unless we do something to acquire that land this year; and it means similar problems will be faced in Yellowstone, in Grand Teton, and in a number of our other national parks. It also means that we will not be keeping our word in terms of dealing with the maintenance backlog of our national parks.

So I would ask the House very simply to follow the advice of then candidate George W. Bush who said in the Presidential debate just a few months ago, "We ought to fully fund the Land and Water Conservation Fund and provide half of that money to the States." The President of the United States recognized the need to do this. The Congress itself recognized the need to do it when it signed on to the compromise agreement 3 years ago. We ought to keep our word. We especially ought to keep our word to each other.

So I would urge the House to vote against the previous question on the rule so that we can endeavor to do just that.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Committee on Rules.

Mr. MCGOVERN. Mr. Speaker, sadly, this fiscal year 2004 Interior appropriation bill marks yet another broken promise to the American people and a further betrayal of our country's environment. In 2000, this body adopted the historic CARA-Light Agreement, which authorized \$12 million over 6 years for a number of vitally important land acquisition and conservation programs. That was truly an important day for this House and an important victory for the environment.

Mr. Speaker, I am proud to have played a part in building the support for that victory by sponsoring the amendment that restored funding for the stateside Land and Water Conservation Fund program for the first time in 5 years, but Mr. Speaker, I am not proud today of this Interior appropriations bill. In fact, this House should be embarrassed and ashamed that we would so cavalierly break our promise to the environment because it is more important to give tax breaks to millionaires. It is appalling.

The Subcommittee on Interior and Related Agencies of the Committee on Appropriations is authorized to spend almost \$1.6 billion on conservation programs in fiscal year 2004. This bill, however, only appropriates \$990 million for these programs, which is \$570 million less than the CARA-Light agreement requires. Meanwhile, the demand for funding of these conservation programs continues to grow and grow.

The National Park Service conducted a survey in 2002 that asked every State to estimate the total request they have received for land and water conservation funds over the past 3 fiscal years and then compared those requests to the funding each State has received. The results of this survey demonstrated a shocking nationwide unmet need of 92 percent. These are cities and towns in each of our district and in every one of our States that go wanting year after year for their neighborhood park to be improved or their open space to be saved from development.

Since 1964, the Land and Water Conservation Fund has been responsible for the acquisition of nearly 7 million acres of protected land and open space and the development of more than 38,000 State and local parks and recreation areas. The LWCF is a widely popular and very effective program. This bill does not do this program justice.

The Interior bill provides less than half of the documented need for the full funding of the stateside Land and Water Conservation Fund, less than half. In my home State of Massachusetts, the Executive Office of Environmental Affairs will receive a little more than \$2 million in fiscal year 2004 to help address the open space and recreation needs of 351 cities and towns. It is simply not enough.

Our open space is disappearing every day. If we do not preserve this land now, we will lose it forever; and the need for safe parks and recreation areas continues to grow.

Mr. Speaker, this bill continues to systematically dismantle the structure of the Title VII Conservation Trust Fund piece by piece, program by program. It reduces the much-celebrated CARA-Light agreement to a terrible hoax and an empty gesture.

I would urge my colleagues to support the amendments that will restore funding to these conservation programs. We must live up to our obligation. We must meet our promises.

The gentleman from Wisconsin (Mr. OBEY) had an amendment that would fix all of this by taking a tiny, tiny amount of the overly generous Republican tax cut for millionaires and put it toward conservation programs. Unfortunately, Mr. Speaker, the Committee on Rules stayed true to form and said no.

I urge a no vote on the previous question and a no vote on the rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman for yielding me the time.

I rise in strong opposition to this rule, and I would ask Members to vote against the previous question so that we could have an opportunity to vote on the Obey-Dicks amendment which would restore the \$570 million that has been cut from conservation spending in this country.

I also rise to say that I would oppose the Boehlert amendment that would restore \$95 million to these programs. The Boehlert amendment simply is an endorsement of these cuts. It simply is an endorsement of the cuts. We were spending \$450 million on Federal land and water conservation programs per a bipartisan agreement and the support of this President of the United States. If my colleagues vote for the Boehlert amendment, we are down to \$130 million on State land and water conservation, a primary driver of open space and conservation programs and habitat protection and the protections of the community values, \$450 million after these cuts. Even with the Boehlert amendment, that is only \$118 million.

We are talking about a massive loss of opportunities for local communities to protect and provide for the conservation of land around those communities for public use, for the use of their citizens, because these dollars are matched by private dollars, by local dollars, and they drive these acquisitions.

The Boehlert amendment is simply an endorsement of a policy that is now just wreaking havoc with that bipartisan agreement, with that promise made by this Congress that we would once again start using those moneys coming into the Land and Water Conservation Fund from offshore oil drilling to protect the natural assets of this country and our local communities.

That is why we have got to vote against the previous question and the rule. Because if we voted for the Obey-Dicks amendment, then we would keep the promise that we have made. We have made that with business organizations, we have made that with conservation organizations, we have made that with restoration organizations, we have made that with communities, that these were community values where the Federal Government would help out. All of that is devastated by this legislation, and we cannot buy into an endorsement of that by buying an amendment that simply puts just a few dollars back into these accounts while these accounts initially in this bill get slaughtered by the appropriations provided in this committee.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, the American people have been misled. Just like the telephone salesman who interrupts our dinner hour with an offer that is too good to be true, the Bush administration has sold the American people a tax cut by withholding some very important facts.

One of those facts is that, in order to subsidize rebate checks for people who live on estates which cover vast stretches of private land, the Bush administration now has to slash funding that would have gone to protect vast stretches of public land.

Spending on Land and Water Conservation Fund programs, which is authorized at the level of \$900 million, totals less than \$200 million in the bill that is currently before us. Funding that would improve and expand wildlife refuges, national parks and national forests is all being sacrificed at the altar of tax relief for the rich. What is more, the Bush administration, along with the majority here in this House, fails to provide these funds even though half the money goes directly to States for conservation and recreation purposes.

Gutting these conservation programs shatters an agreement made by this Congress just 3 short years ago when the Land Conservation, Preservation and Infrastructure Trust Fund was created as part of the Interior bill.

It should be noted that there is one exception in this bill to the majority's desire to slash and burn conservation funding. This appropriation bill would authorize a new national heritage area. This new heritage area has not even been studied by the National Park Service. It would simply be designated, and it is by no means a small designation as it would stretch over 25 counties in North Carolina and be authorized to receive \$10 million in Federal funding over 10 years.

It had been my understanding that some in the majority, including the Committee on Resources chairman, opposed creation of any new heritage areas based on private property concerns; and, indeed, there are scores of Members, Republicans and Democrats alike, who are asking the Committee on Resources to consider heritage area legislation.

As such, I can only come to the conclusion, Mr. Speaker, that the inclusion of this new heritage area in this new Interior appropriations bill means that those concerns over private property rights have been addressed, and we look forward to the timely consideration of all of the heritage proposals that are now pending before this Congress.

Except for this one bright spot, however, the cuts of conservation spending contained in this bill are unacceptable. The American people should know that the national park they visit this summer is not being protected because there will be no funds to conserve park lands, and the American people should know that the conservation and recre-

ation programs planned by their governor will have to be abandoned because the Federal Government would not come through with the matching funds.

I urge a no vote on the rule and a no on the previous question.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Georgia (Mr. KINGSTON) a member of the committee.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me the time.

I just wanted to point out, Mr. Speaker, that when we hear about the bill having more money for acquiring more land, it is important to keep in perspective how much land is actually owned by the United States, which is approximately one-third. Thirty-three percent of the land in America is owned by the Federal Government; and that does not include military bases, it does not include easements for interstate highways, it does not include State and local parks and recreation areas. So if we put in all that, it may be as high as 40 percent.

I am not on the Subcommittee on Interior and Related Agencies of the Committee on Appropriations anymore, but I had the honor of serving on it for 6 years, and I would often ask the director of the National Park Service or Fish and Wildlife or the Bureau of Land Management, how much land is enough?

We know politically 435 Members of Congress can always go home as heroes, session after session, saying I bought more land, I protected the environment, and yet nobody knows how much is good. Should the Federal Government own 90 percent of the land in America? Should it be a smaller percentage?

I think, if my memory serves correctly, in the East, it is a lot smaller percentage. In fact, I think in Georgia it is probably less than 10 percent. Massachusetts, I believe it is 14 percent. California, it is 60 percent. In Nevada, it is about 90 percent. But we have no national policy on it whatsoever.

I asked these questions to the Bush administration. I asked these questions to the Clinton administration. How much land should it be? Should it be 15 percent? Should it be 75 percent? What is the magic number?

I want my colleagues to think about this in terms of appropriations and so forth.

We had this week, most of us were visited by people from the education community on IDEA, the Individuals with Disabilities Education Act.

□ 1615

We passed our Labor, Health and Human Services, and Education bill this week; and we funded IDEA at 18 percent. We should be funding it at about 40 percent, but we have something to discuss because we have a specific vision of what funding level is adequate.

Here we are, when it comes to land acquisition, already again up to a third of the land in America owned by the Federal Government, and we do not have a top end to it. We do not have a policy. Meanwhile, not only do we not have a policy, we have a tremendous backlog.

Now, the Republicans, since 1997, have spent \$2.1 billion on backlog for our public lands, maintenance and so forth. But here we still have billions of dollars in backlog, and we do not seem to be worried about that.

So I think that this subcommittee has done the right thing by going very cautiously in terms of not just funding everybody who wants a new land acquisition reelection plan, but they are trying to go at it with a little more science, a little more balance; and I think that that is a far better approach than the so-called CARA approach or some of these other plans that are out there.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I rise to urge my colleagues on both sides of the aisle to support the removal of section 137 of the Interior appropriations bill which seeks to reach a settlement of the Indian trust reform issue. This section does not belong in this bill, and any legislation dealing with settlement should be vetted through the Committee on Resources which has jurisdiction over this issue.

Mr. Speaker, for more than a century, the Federal Government has been the trustee of funds for Indian tribes and individual Indians. These funds are generated from rights and leases on lands held in trust by the Federal Government. Presently, there are approximately 300,000 Native Americans who are supposed to receive funds from the 56 million acres being held in trust for them by the Federal Government. Unfortunately, the Department of the Interior has been unable to fully and accurately account for the trust fund money.

Both Secretaries of Interior for the past two administrations have been held in contempt of court for failing to fulfill their fiduciary responsibility to Native Americans. In order to force the government to account for the money believed to be owed them, a group of Native Americans filed a class action lawsuit against the Secretary of the Interior.

Now, recently, Mr. Speaker, the House Subcommittee on Interior of the Committee on Appropriations offered language in section 137 of its bill in an attempt to settle this dispute. If this language were allowed to advance, it would give the Secretary of the Interior the authority to unilaterally settle any claim related to the balance of the individual Indian accounts currently held in trust.

Mr. DICKS. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Washington.

Mr. DICKS. On a voluntary basis in the first year. The gentleman did not use the word voluntary. In the second year, then they have to work it out if there has not been a voluntary agreement in the first year.

I just wanted to clarify that point.

Mr. PALLONE. Reclaiming my time, Mr. Speaker, I appreciate the ranking member's comments.

The same Department of Interior that has consistently failed to manage the trust accounts would have complete authority to end all of the claims by individual Indian account holders.

Now, while I appreciate, and I want to tell the gentleman from Washington I do appreciate the attention that is being given to this issue by my colleagues on the Committee on Appropriations, but I do not feel that a fair resolution can be reached without having all the major players at the table. To that end, I urge my colleagues once again to support the removal of section 137 from the Interior appropriations bill and allow the Committee on Resources to try to reach a fair and equitable solution that both tribal leaders and the Department of the Interior can agree upon.

If I can say to the gentleman from Washington and also the chairman of the subcommittee, I do appreciate the fact that they have been willing to allow us to take this section out and have the Committee on Resources try to come up with a fair and equitable solution; and I really understand the gentleman's frustration with the fact that, for several years now, that this issue is still outstanding and has a major impact in terms of funding and the level of appropriations. But we really feel on the committee that we can deal with this effectively and appreciate the opportunity to be allowed to do so.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I rise in opposition to the rule for the consideration of the fiscal year 2004 Interior Appropriations Act. I oppose the rule because it did not allow an important amendment to be offered by the ranking Democratic member of the full Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY). The Obey-Dicks amendment, which I strongly supported, would have added \$569 million to the bill to restore the Conservation Trust Fund.

I regret the Obey amendment was not allowed, because I believe it was the only real way that we could have addressed the shortfall of over half a billion dollars in the Interior bill. Obviously, we could never find the offsets within our allocation to fully fund the trust fund, and we should not have to. The conservation agreement provided for an additional allocation to our subcommittee and was never intended to come at the expense of other programs in the bill.

The bill under consideration today shortchanges the Conservation Trust

Fund by \$569 million, providing only \$1 billion of the authorized \$1.56 billion. In fact, the fund is \$208 million below last year, despite built-in increases under the program through 2066.

Nobody wants to see increases in this area more than I do, but we must be honest that we cannot find the money from within our bill. The Conservation Trust Fund that was established in 2000 called for a separate allocation to our subcommittee and to the Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies to be used specifically for these purposes. It was never intended to come from within our 302(b) allocation to the Subcommittee on Interior.

The gentleman from Wisconsin (Mr. OBEY) should have been allowed to offer his amendment, and we should have been able to have a real debate on a real amendment to restore this important program.

And I want to reiterate what was said earlier, that the President, when he was campaigning for President, said he was going to fully fund the Land and Water Conservation Fund. That is \$450 million Federal and \$450 million for State-side programs. That budget request has not gotten up here. They tried to change certain things and call them land and water conservation, but in fact it was not the bill as enacted.

I would also point out that over the years a surplus has accrued under the title of the Land and Water Conservation Fund of about \$13 billion, and that is why the CARA movement was so powerful a few years ago. I think over 315 or 320 Members of the House voted for CARA, which would have created mandatory spending of \$3 billion for the next 15 years. Some of the most senior and influential Members on conservation issues in this body strongly supported it and advocated it; and we in the Committee on Appropriations came up with this alternative, which the gentleman from Wisconsin (Mr. OBEY) and I sponsored, along with the gentleman from Ohio (Mr. REGULA). That is why there is such concern out there in the conservation community that we have not kept this commitment.

So I regretfully urge people to vote against the rule. There are other issues in this bill, but we will have a chance to discuss them once we get into general debate.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding me this time, and I would like to speak in opposition to the rule because the rule would violate the rules of the House. It would allow, for the fourth time, the authorization of a tax on average Americans who choose to recreate on our Federal lands.

Now, I have no problem with charging for use of developed sites, I have no problem with special use areas, and certainly no problem for the parks. We

have already heard how the parks are underfunded. But to charge Americans who live in remote rural communities in my district and elsewhere throughout the West in the United States to drive and park their car for dispersed recreation in an undeveloped area, whether it is hunting or fishing or just taking the grandkids for a walk, as a grandma in Oak Ridge might do, they have to pay a large annual fee, \$35, to drive out of this poor community which is completely surrounded by national forestlands. They have to pay that fee.

Yet the authorizing committee in the House, the committee which should authorize such a tax, because there is a tax, and this is the party that does not want new taxes, and this would be a new tax because it is going to extend it without an authorization, without hearings, without any appropriate action for another 2 years in this bill, and that violates the rules of the House. But that is protected under this rule from my raising a point of order against it. This is not the proper way to move forward on this issue.

There is a legislation introduced by Senator THOMAS of Wyoming that would make this program permanent for the parks, and I would be happy to support that, and the House would. We have Members of the majority party here who are working on legislation, the gentleman from California (Mr. POMBO) and the gentleman from Colorado (Mr. MCINNIS), that would change the program a little bit, because they feel parts of it are inappropriate and are restricting the public's right to access their lands without charge in areas where there is no discernible investment or need for such a barrier charge.

And the program itself is problematic. For the \$36 million that were raised by the Forest Service, \$13 million of it got to the ground. So it is not only an oppressive tax on average Americans, it is an unbelievably inefficient tax when you begin to look at the collection costs and all the other problems that arise from this particular program. I mean, that is about a one-third efficiency rate. I do not think many of us would support any other tax that would only provide about a third of the revenues which it assesses against people to the purpose which it purports to fulfill.

So I urge my colleagues to oppose the rule for this reason and for others articulated by my friend and colleague from Washington State so that we can more fairly debate this bill and more fairly and properly address issues such as this rec fee demo tax on Americans.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, shortly I will ask Members to vote no on the previous question. If the previous question is defeated, I will offer an amendment to the rule that will make in order the Obey amendment to restore funding for the conservation programs that have been shortchanged in the bill.

This amendment would add \$569 million to the bill's conservation programs in order to bring them up to their authorized spending levels. The Obey amendment offsets this spending increase with a 3.21 percent reduction in the tax breaks received by taxpayers earning more than \$1 million a year. This amendment was submitted to the Committee on Rules last night and rejected by the majority.

The cost of this amendment is fully paid for. The money would come by slightly reducing the 2004 tax cut for those with incomes in excess of \$1 million. It seems to me these millionaires could easily spare a small part of their very large tax breaks to help protect our precious national resources.

So I will urge Members on both sides of the aisle to vote no on the previous question. A no vote will not stop the House from taking up the Interior appropriations bill. However, a yes vote will prevent the House from considering the Obey amendment.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to vote for the previous question and for the rule.

I just might add that this is an open rule. The subcommittee and the full committee made some difficult decisions at prioritizing needs to fund particularly the Department of the Interior. Of course, there are differences of opinion on how those priorities should be, but this open rule allows for a restructuring, if this body decides that is the correct way to go, to restructure those priorities.

So I think it is a good rule. It is an open rule. I urge my colleagues to vote for the previous question and for the rule.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 319—RULE ON H.R. 2691, FISCAL YEAR 2004 INTERIOR APPROPRIATIONS

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Obey of Wisconsin or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT NO. 2 BY REPRESENTATIVE OBEY
AMENDMENT TO H.R. 2691, AS REPORTED
OFFERED BY: MR. OBEY OF WISCONSIN

On page 7, line 13, strike "\$14,000,000" and insert "\$49,920,000".

On page 14, line 8, strike "\$23,058,000" and insert "\$99,135,000".

On page 25, line 24, strike "\$131,154,000" and insert "\$330,117,000".

On page 97, line 17, strike "\$29,288,000" and insert "\$149,742,000".

On page 17, line 12, strike "\$75,000,000" and insert "\$100,000,000".

On page 16, line 11, strike "\$24,560,000" and insert "\$43,500,000".

On page 91, line 3, strike "\$290,758,000" and insert "\$335,272,000".

On page 22, line 23, strike "\$71,000,000" and insert "\$90,000,000".

On page 23, line 1, strike "\$30,000,000" and insert "\$34,000,000".

On page 22, line 17, strike "\$305,000" and insert "\$30,000,000".

On page 154, after line 13, add the following:

SEC. ____ In the case of taxpayers with adjusted gross income in excess of \$1,000,000 for the tax year beginning in 2003, the amount of tax reduction resulting from enactment of the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Public Law 108-27) shall be reduced by 3.21 percent.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered; on passage of H.R. 2122; on suspending the rules and adopting H. Con. Res. 6; and, without objection, on authorizing closed meetings of the conferees on H.R. 1588, if a motion to that end is offered immediately after the vote on H. Con. Res. 6.

The vote was taken by electronic device, and there were—yeas 219, nays 199, not voting 16, as follows:

[Roll No. 371]

YEAS—219

Aderholt	Bradley (NH)	Crane
Akin	Brady (TX)	Crenshaw
Bachus	Brown (SC)	Cubin
Baker	Brown-Waite	Culberson
Ballenger	Ginny	Cunningham
Barrett (SC)	Burgess	Davis, Jo Ann
Bartlett (MD)	Burns	Davis, Tom
Barton (TX)	Burr	DeLay
Bass	Burton (IN)	DeMint
Beauprez	Buyer	Diaz-Balart, L.
Bereuter	Calvert	Diaz-Balart, M.
Biggert	Camp	Doolittle
Bilirakis	Cannon	Dreier
Bishop (UT)	Cantor	Duncan
Blackburn	Capito	Dunn
Blunt	Carter	Ehlers
Boehlert	Castle	Emerson
Boehner	Chabot	English
Bonilla	Chocola	Everett
Bonner	Coble	Feeney
Bono	Collins	Flake
Boozman	Cox	Foley

Forbes	LaTourette	Rogers (AL)
Fossella	Leach	Rogers (KY)
Franks (AZ)	Lewis (CA)	Rogers (MI)
Frelinghuysen	Lewis (KY)	Rohrabacher
Gallely	Linder	Ros-Lehtinen
Garrett (NJ)	LoBiondo	Ryan (WI)
Gerlach	Lucas (OK)	Ryun (KS)
Gibbons	Manzullo	Saxton
Gilchrest	McCotter	Schrock
Gillmor	McCrery	Sensenbrenner
Gingrey	McHugh	Sessions
Goode	McInnis	Shadegg
Goodlatte	McKeon	Shaw
Goss	Mica	Shays
Granger	Miller (FL)	Sherwood
Graves	Miller (MI)	Shimkus
Green (WI)	Miller, Gary	Shuster
Greenwood	Moran (KS)	Simmons
Gutknecht	Murphy	Simpson
Harris	Musgrave	Smith (MI)
Hart	Myrick	Smith (NJ)
Hastings (WA)	Nethercutt	Smith (TX)
Hayes	Neugebauer	Souder
Hayworth	Ney	Stearns
Hefley	Northup	Sullivan
Hensarling	Norwood	Tancredo
Herger	Nunes	Tauzin
Hobson	Nussle	Taylor (NC)
Hoekstra	Osborne	Terry
Hostettler	Ose	Thomas
Houghton	Otter	Thornberry
Hulshof	Oxley	Tiahrt
Hunter	Paul	Tiberti
Hyde	Pearce	Toomey
Isakson	Pence	Turner (OH)
Issa	Peterson (PA)	Upton
Istook	Petri	Vitter
Jenkins	Pickering	Walden (OR)
Johnson (CT)	Pitts	Walsh
Johnson, Sam	Platts	Wamp
Jones (NC)	Pombo	Weldon (FL)
Keller	Porter	Weldon (PA)
Kelly	Portman	Weller
Kennedy (MN)	Pryce (OH)	Whitfield
King (IA)	Putnam	Wicker
King (NY)	Quinn	Wilson (NM)
Kingston	Radanovich	Wilson (SC)
Kirk	Ramstad	Wolf
Kline	Regula	Young (AK)
Knollenberg	Rehberg	Young (FL)
LaHood	Renzi	
Latham	Reynolds	

NAYS—199

Abercrombie	Deutsch	Kennedy (RI)
Ackerman	Dicks	Kildee
Alexander	Dingell	Kilpatrick
Allen	Doggett	Kind
Andrews	Dooley (CA)	Klecza
Baca	Doyle	Kucinich
Baird	Edwards	Lampson
Baldwin	Emanuel	Langevin
Ballance	Engel	Lantos
Becerra	Eshoo	Larsen (WA)
Bell	Etheridge	Larson (CT)
Berman	Evans	Lee
Berry	Farr	Levin
Bishop (GA)	Fattah	Lewis (GA)
Bishop (NY)	Filner	Lipinski
Blumenauer	Ford	Lofgren
Boswell	Frank (MA)	Lucas (KY)
Boucher	Frost	Lynch
Boyd	Gonzalez	Majette
Brady (PA)	Gordon	Maloney
Brown (OH)	Green (TX)	Markey
Capps	Grijalva	Marshall
Capuano	Gutierrez	Matheson
Cardin	Hall	Matsui
Cardoza	Harman	McCarthy (MO)
Carson (IN)	Hastings (FL)	McCarthy (NY)
Carson (OK)	Hill	McCollum
Case	Hinchey	McDermott
Clay	Hinojosa	McGovern
Clyburn	Hoeffel	McIntyre
Conyers	Holden	McNulty
Cooper	Holt	Meehan
Costello	Honda	Meek (FL)
Cramer	Hooley (OR)	Meeks (NY)
Crowley	Hoyer	Menendez
Cummings	Inslee	Michaud
Davis (AL)	Israel	Miller (NC)
Davis (CA)	Jackson (IL)	Miller, George
Davis (FL)	Jackson-Lee	Mollohan
Davis (IL)	(TX)	Moore
Davis (TN)	John	Moran (VA)
DeFazio	Johnson, E. B.	Murtha
DeGette	Jones (OH)	Nadler
Delahunt	Kanjorski	Napolitano
DeLauro	Kaptur	Neal (MA)

Oberstar	Sabo	Tanner	Dunn	Kennedy (MN)	Radanovich	Michaud	Ross	Stenholm
Obey	Sanchez, Linda	Tauscher	Ehlers	King (IA)	Ramstad	Miller (NC)	Rothman	Strickland
Olver	T.	Taylor (MS)	Emerson	King (NY)	Regula	Miller, George	Roybal-Allard	Tanner
Ortiz	Sanchez, Loretta	Thompson (CA)	English	Kingston	Rehberg	Mollohan	Ruppersberger	Tauscher
Owens	Sanders	Thompson (MS)	Everett	Kirk	Renzi	Moore	Rush	Taylor (MS)
Pallone	Sandlin	Tierney	Fattah	Kline	Reynolds	Moran (VA)	Ryan (OH)	Thompson (CA)
Pascrell	Schakowsky	Towns	Feeney	Knollenberg	Rogers (AL)	Nadler	Sabo	Thompson (MS)
Pastor	Schiff	Turner (TX)	Flake	Kolbe	Rogers (KY)	Napolitano	Sanchez, Linda	Tierney
Pelosi	Scott (GA)	Udall (CO)	Foley	LaHood	Rogers (MI)	Neal (MA)	T.	Towns
Peterson (MN)	Scott (VA)	Udall (NM)	Forbes	Latham	Rohrabacher	Oberstar	Sanchez, Loretta	Turner (TX)
Pomeroy	Serrano	Van Hollen	Fossella	LaTourette	Ros-Lehtinen	Obey	Sanders	Udall (CO)
Price (NC)	Sherman	Velazquez	Franks (AZ)	Leach	Ryan (WI)	Olver	Sandlin	Udall (NM)
Rahall	Skelton	Visclosky	Frelinghuysen	Lewis (CA)	Ryun (KS)	Ortiz	Schakowsky	Van Hollen
Rangel	Slaughter	Waters	Gallegly	Lewis (KY)	Saxton	Owens	Schiff	Velazquez
Reyes	Smith (WA)	Watson	Garrett (NJ)	Linder	Schrock	Pallone	Scott (GA)	Visclosky
Rodriguez	Snyder	Watt	Gerlach	Lipinski	Sensenbrenner	Pascrell	Scott (VA)	Waters
Ross	Solis	Waxman	Gibbons	LoBiondo	Sessions	Pastor	Serrano	Watson
Rothman	Spratt	Weiner	Gilchrest	Lucas (OK)	Shadeegg	Pelosi	Sherman	Watt
Roybal-Allard	Stark	Wexler	Gillmor	Manzullo	Shaw	Peterson (MN)	Skelton	Waxman
Ruppersberger	Stenholm	Woolsey	Gingrey	McCotter	Shays	Pomeroy	Slaughter	Weiner
Rush	Strickland	Wu	Goode	McCrery	Sherwood	Price (NC)	Smith (WA)	Wexler
Ryan (OH)	Stupak	Wynn	Goodlatte	McHugh	Shimkus	Rahall	Snyder	Woolsey
			Gordon	McInnis	Shuster	Rangel	Solis	Wu
			Goss	McKeon	Simmons	Reyes	Spratt	Wynn
			Granger	Mica	Simpson	Rodriguez	Stark	
			Graves	Miller (FL)				
			Green (WI)	Miller (MI)				
			Greenwood	Miller, Gary				
			Gutknecht	Moran (KS)				
			Hall	Murphy				
			Harris	Murtha				
			Hart	Musgrave				
			Hastings (WA)	Myrick				
			Hayes	Nethercutt				
			Hayworth	Neugebauer				
			Hefley	Ney				
			Hensarling	Northup				
			Herger	Norwood				
			Hobson	Nunes				
			Hoeffel	Nussle				
			Hoekstra	Osborne				
			Holden	Ose				
			Hostettler	Otter				
			Houghton	Oxley				
			Hulshof	Paul				
			Hunter	Pearce				
			Hyde	Pence				
			Isakson	Peterson (PA)				
			Issa	Petri				
			Istook	Pickering				
			Jenkins	Pitts				
			Johnson (CT)	Platts				
			Johnson (IL)	Pombo				
			Johnson, Sam	Porter				
			Jones (NC)	Portman				
			Kanjorski	Pryce (OH)				
			Keller	Putnam				
			Kelly	Quinn				

NOT VOTING—16

Berkley	Gephardt	Millender-
Brown, Corrine	Janklow	McDonald
Cole	Jefferson	Payne
Deal (GA)	Johnson (IL)	Royce
Ferguson	Kolbe	Sweeney
Fletcher	Lowey	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1650

Ms. WATSON, Mr. LARSON of Connecticut and Mr. ISRAEL changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. ROYCE. Mr. Speaker, on rollcall No. 371 I was in a meeting at the White House with the President. Had I been present, I would have voted “yea.”

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 371 I was unavoidably detained. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 189, not voting 13, as follows:

[Roll No. 372]

AYES—232

Aderholt	Bono	Chabot
Akin	Boozman	Chocola
Bachus	Bradley (NH)	Coble
Baker	Brady (PA)	Cole
Ballenger	Brady (TX)	Collins
Barrett (SC)	Brown (SC)	Crane
Bartlett (MD)	Brown-Waite,	Crenshaw
Barton (TX)	Ginny	Cubin
Bass	Burgess	Culberson
Beauprez	Burns	Cunningham
Bereuter	Burr	Davis, Jo Ann
Biggett	Burton (IN)	Davis, Tom
Bilirakis	Buyer	DeLay
Bishop (UT)	Calvert	DeMint
Blackburn	Camp	Diaz-Balart, L.
Blunt	Cannon	Diaz-Balart, M.
Boehlert	Cantor	Doolittle
Boehner	Capito	Doyle
Bonilla	Carter	Dreier
Bonner	Castle	Duncan

Abercrombie	Davis (TN)
Ackerman	DeFazio
Alexander	DeGette
Allen	Delahunt
Andrews	DeLauro
Baca	Deutsch
Baird	Dicks
Baldwin	Dingell
Ballance	Doggett
Becerra	Dooley (CA)
Bell	Edwards
Berman	Emanuel
Bishop (GA)	Engel
Bishop (NY)	Eshoo
Blumenauer	Etheridge
Boswell	Evans
Boucher	Farr
Boyd	Filner
Brown (OH)	Ford
Capps	Frank (MA)
Capuano	Frost
Cardin	Gonzalez
Cardoza	Green (TX)
Carson (IN)	Grijalva
Carson (OK)	Gutierrez
Case	Harman
Clay	Hastings (FL)
Clyburn	Hill
Conyers	Hinchey
Cooper	Hinojosa
Costello	Holt
Cramer	Honda
Crowley	Hooley (OR)
Cummings	Hoyer
Davis (AL)	Inslee
Davis (CA)	Israel
Davis (FL)	Jackson (IL)
Davis (IL)	Jackson-Lee
	(TX)

NOES—189

John	Johnson, E. B.
Johnson, E. B.	Jones (OH)
Jones (OH)	Kaptur
Kaptur	Kennedy (RI)
Kennedy (RI)	Kildee
Kildee	Kilpatrick
Kilpatrick	Kind
Kind	Kleczka
Kleczka	Kucinich
Kucinich	Lampson
Lampson	Langevin
Langevin	Lantos
Lantos	Larsen (WA)
Larsen (WA)	Larson (CT)
Larson (CT)	Lee
Lee	Levin
Levin	Lewis (GA)
Lewis (GA)	Lofgren
Lofgren	Lowey
Lowey	Lucas (KY)
Lucas (KY)	Lynch
Lynch	Majette
Majette	Maloney
Maloney	Markey
Markey	Marshall
Marshall	Matheson
Matheson	Matsui
Matsui	McCarthy (MO)
McCarthy (MO)	McCarthy (NY)
McCarthy (NY)	McClintock
McClintock	McDermott
McDermott	McGovern
McGovern	McIntyre
McIntyre	McNulty
McNulty	Meehan
Meehan	Meek (FL)
Meek (FL)	Meeks (NY)
Meeks (NY)	Menendez

NOT VOTING—13

Berkley	Fletcher	Millender-
Brown, Corrine	Gephardt	McDonald
Cox	Janklow	Payne
Deal (GA)	Jefferson	Royce
Ferguson		Sweeney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1700

Mr. CRAMER and Mr. MOLLOHAN changed their vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROYCE. Mr. Speaker, on rollcall No. 372, I was in a meeting at the White House with the President. Had I been present, I would have voted “aye.”

Mr. WELLER. Mr. Speaker, on rollcall No. 372, had I been present, I would have voted “aye.”

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to rule XX and the previous order of the House, the remainder of this series will be conducted as 5-minute votes.

PROJECT BIOSHIELD ACT OF 2003

The SPEAKER pro tempore. The pending business is the question on the passage of the bill, H.R. 2122, on which further proceedings were postponed earlier today.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 11, as follows:

[Roll No. 373]

YEAS—421

Abercrombie	Alexander	Bachus
Ackerman	Allen	Baird
Aderholt	Andrews	Baker
Akin	Baca	Baldwin